

REMARKS/ARGUMENTS

The listing of claims presented with the last amendment inadvertently introduced typographical errors (“mm” rather than “min”). These errors have been corrected. Because the errors, when introduced, were not noted as amendments to the claims the above corrections similarly have not been noted as amendments to the claims.

New Claims 23-25 are supported at specification page 1, lines 15-16 and at page 6, lines 9-15. No new matter has been entered.

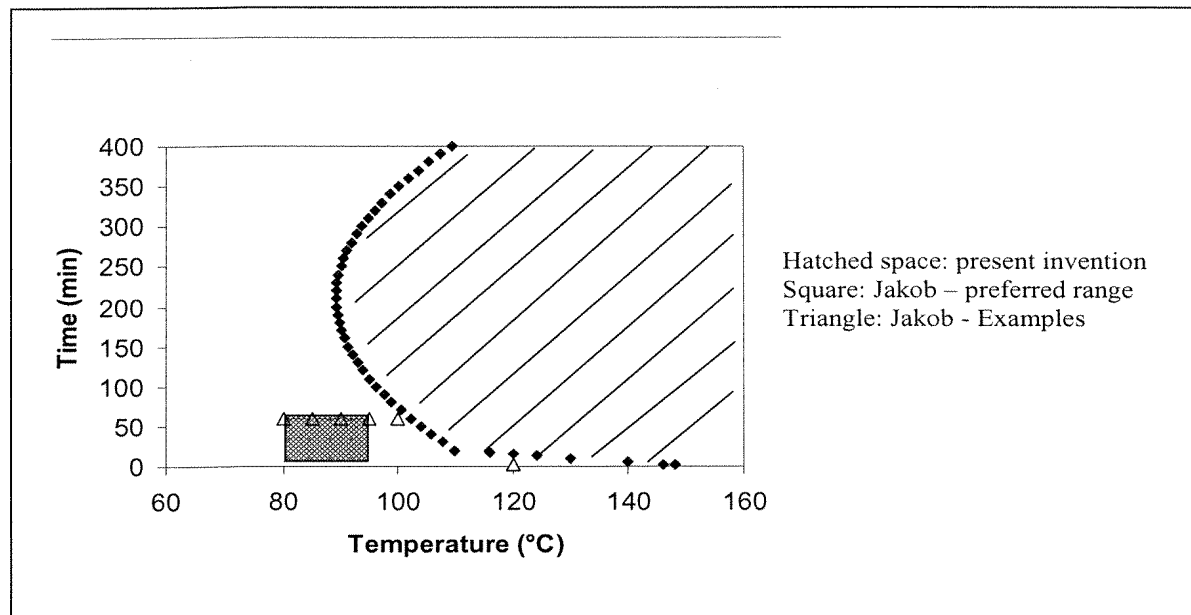
Applicants appreciate the withdrawal of the previous rejections. As will be shown below, the presently claimed subject matter is patentably distinct from anything disclosed or suggested in Jakob, EP ‘625 and EP ‘553.

Jakob relates to a process for improving the internal stability and storage stability of sodium parcarbonate particles, and must be understood in this context. The reference process describes a step of thermal treatment performed for a time of from 5 to 60 minutes at a temperature of from 70 to 120°C (paragraph 0046) with examples in the Figure being conducted for one hour at 80 – 100°C and Example 6 (paragraph 0055) being conducted at 120°C for approximately 2 minutes.

The present invention, on the other hand, provides coated sodium percarbonate particles having fizzy properties (i.e, effervescent properties) and an improved rate of dissolution, without impairing their stability. As required by the claims, Applicants’ coated particles have a content of available oxygen of at least 3 % by weight, and are fizzy to such an extent that 2 g of the coated particles dissolved in 50 ml of water at 20°C generate more than 0.4 ml of gas after 2 min.

Jakob is silent regarding any fizzy properties of his disclosed particles. Moreover, and as can be seen from the graph below, conditions of thermal treatment according to the present invention (hatched space) that provide the claimed effervescent properties are different from

both the preferred range of Jakob (square) and the Jakob's Figure and specification Examples (triangles):



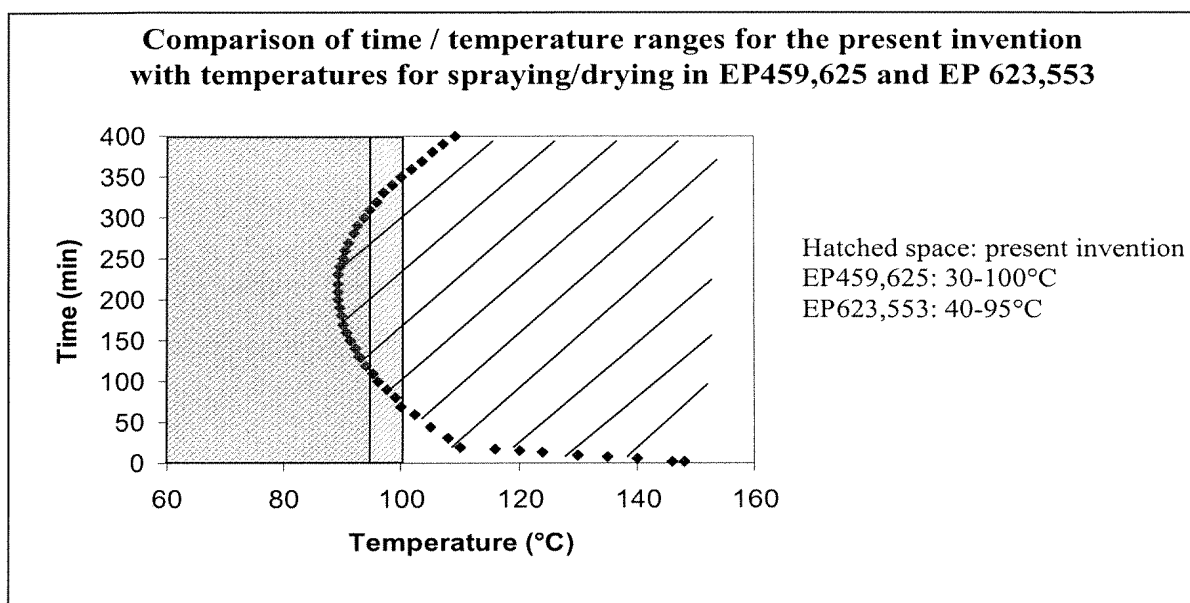
Thus, it is clear that Jakob does not teach or suggest the special properties of available oxygen content and effervescent properties as claimed in the present invention. What is more, increasing the temperature (or the duration) of the thermal treatment step in Jakob would be contrary to the stated purpose of the reference, as a high temperature (or duration) would be expected to lead to the destabilization of the product.¹ The fact that Jakob does not produce, suggest or describe the fizzy, coated sodium percarbonate particles according to the present invention is further illustrated below, where the following tests were conducted on coated sodium percarbonate particles having a starting available oxygen (AvOx) of 13.96%:

¹ If a proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984). See also MPEP 2143.01.

Test	Temperature (°C)	Duration (min)	Final AvOx (%)	Gas volume after 2 minutes
1	110	5	14,00	0
2	110	10	13,94	0,1
3	120	5	13,96	0,1
4	120	10	13,82	0,2

The present invention is thus neither disclosed nor suggested by the reference, and the rejection over Jakob should be withdrawn.

The situation with EP '625 and EP '553 is similar: the conditions necessary to produce the fizzy coated sodium percarbonate particles according to the present invention are neither disclosed nor suggested. EP 459,625 and EP 623,553 both disclose the manufacture of coated sodium percarbonate via spray drying. However, in these references the spraying/drying step does not result in the presently claimed particles. As can be seen from the graph below, at, e.g., 100°C, heat treatment duration should be at least 70 minutes in order to obtain the fizzy properties of the present invention:



Of course, this temperature/duration condition is not anything like a spraying/drying process, nor is such suggested in either reference, as the Examiner will appreciate. For these reasons, the rejections over EP '625 and EP '553 should be withdrawn.

Accordingly, and in view of the differences between what is claimed and what is disclosed in the references, Applicants respectfully submit that the above identified application for patent is free of the art, and deserving of Issuance. Early notification to this effect is respectfully requested.

Respectfully submitted,

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